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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/804,802	03/19/2004	Norbert Schulke	2048/67268- PRO A

Cooper & Dunham, LLP
 1185 Avenue of the Americas
 New York, NY 10036

CONFIRMATION NO. 8894

FORMALITIES LETTER



OC000000013493179

03/08/2005 HDEMSS1 00000022 10804802

Date Mailed: 08/10/2004

01 FC:2051

65.00 DP

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 2.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

ND

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Dkt. 67268-A/JPW/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Norbert Schülke et al.
Serial No.: 10/804,802 Examiner:
Filed: March 19, 2004 Group Art Unit: 1653
For: CD4-IgG2 FORMULATIONS

1185 Avenue of the Americas
New York, New York 10036
March 2, 2005

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION IN RESPONSE TO AUGUST 10, 2004
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

This Communication is submitted in response to the August 10, 2004 Notice To File Missing Parts Of Nonprovisional Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. Applicants attach hereto a copy of the Notice as **Exhibit A**.

A response to the August 10, 2004 Notice was originally due October 10, 2004. Applicants hereby petition under 37 C.F.R. 1.136(a) for a five-month extension of time. The fee for a five-month extension of time for a small entity is one thousand and eighty dollars (\$1,080.00) and a check including that amount is enclosed. With a five-month extension of time, a response to the August 10, 2004 Notice is due March 10, 2005. Accordingly, this Communication is being timely filed.

The Notice to File Missing Parts indicates that the oath or declaration is missing. In response, applicants attach hereto

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1080.00 DP

Applicants: Norbert Schülke et al.
Serial No.: 10/804,802
Filed: March 19, 2004
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as **Exhibit B** a signed Declaration and Power of Attorney. In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

The Notice also states that replacement drawings in compliance with 37 C.F.R. §1.84 and §1.121 are required. Specifically, the Notice states, citing Figure 2, that the drawings have a line quality that is too light to be reproduced or text that is illegible.

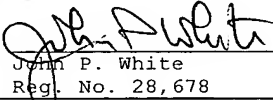
In response, applicants attach hereto as **Exhibit C** a replacement Figure 2. Applicants maintain that, in compliance with 37 C.F.R. 1.84, the weight of all lines and letters in this replacement figure is heavy enough to permit adequate reproduction, and that all the text is legible. Applicants respectfully request that this replacement Figure 2 be inserted after Figure 1 in the application.

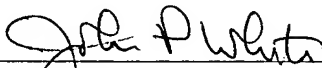
The surcharge under 37 C.F.R. §1.16(e) for submitting the enclosed Declaration for a small entity is SIXTY-FIVE DOLLARS (\$65.00). The fee for a five-month extension of time for a small entity is one thousand and eighty dollars (\$1,080.00). Accordingly, a check for a total amount of ONE THOUSAND, ONE HUNDRED AND FORTY-FIVE DOLLARS (\$1,145.00) is enclosed.

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Filed: March 19, 2004
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No fee, other than the enclosed fee of \$1,145.00, is deemed necessary in connection with the filing of this Communication. However, if any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
 John P. White Reg. No. 28,678	<u>3/2/05</u> Date


John P. White
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